

## Spill Prevention Control and Countermeasure Inspection Findings, Alleged Violations, and Proposed Penalty Form

(Note: Do not use this form if there is no secondary containment)

*These Findings, Alleged Violations and Penalties are issued by EPA Region 9 under the authority vested in the Administrator of EPA by Section 311(b)(6)(B)(I) of the Clean Water Act, as amended by the Oil Pollution Act of 1990.*

Company Name

Docket Number:

COS Samoa Packing Company

Facility Name

COS Samoa Packing

Address

POB 957

City:

Pago Pago

State:

AS

Zip Code:

96799

Contact:

Willem Martins, General Manager

Ph. 684 258 1880; E. [wmartins@cosmos.com](mailto:wmartins@cosmos.com)

Date

01/28/08

Inspection Number

Inspector:

Norwood Scott

EPA Approving Official:

Keith Takata

Enforcement Contacts:

Mark Samolis

Ph. 415-947-4273; E. [samolis.mark@epa.gov](mailto:samolis.mark@epa.gov)

Norwood Scott

Ph. 415 972 2372; E. [scott.norwood@epa.gov](mailto:scott.norwood@epa.gov)

### Summary of Inspection Findings

#### (Bulk Storage Facilities)

##### GENERAL TOPICS: 112.3(a), (d), (e); 112.5(a), (b), (c); 112.7 (a), (b), (c), (d)

(When the SPCC Plan review penalty exceeds \$1,000.00 enter only the minimum allowable of \$1,000.00.)

- ☐ No Spill Prevention Control and Countermeasure Plan- [112.3](#)..... \$1,000.00
- ☐ Plan not certified by a professional engineer- [112.3\(d\)](#)..... 400.00
- ☒ No management approval of plan- [112.7](#)..... 300.00
- ☐ Plan not maintained on site (applies if facility is manned at least four (4) hours per day)- [112.3\(e\)\(1\)](#)..... 100.00
- ☐ Plan not available for review- [112.3\(e\)\(1\)](#) ..... 300.00
- ☐ No evidence of five-year review of plan by owner/operator- [112.5\(b\)](#) ..... 50.00

<input type="checkbox"/>	No plan amendment(s) if the facility has had a change in: design, construction, operation, or maintenance which affects the facility's discharge potential- 112.5(a).....	50.00
<input checked="" type="checkbox"/>	Amendment(s) not certified by a professional engineer- 112.5(c) .....	100.00
<input type="checkbox"/>	Plan does not follow sequence of the rule and/or cross-reference not provided- 112.7.....	100.00
<input type="checkbox"/>	Plan does not discuss additional procedures/methods/equipment not yet fully operational- 112.7.....	50.00
<input type="checkbox"/>	Plan does not discuss conformance with SPCC requirement- 112.7(a)(1) .....	50.00
<input type="checkbox"/>	<b>Plan does not discuss alternative environmental protection to SPCC requirements- 112.7(a)(2) .....</b>	<b>50.00</b>
<input type="checkbox"/>	<b>Plan has inadequate or no facility diagram- 112.7(a)(3).....</b>	<b>50.00</b>
<input type="checkbox"/>	<b>Plan has inadequate or no description of the physical layout of the facility- 112.7(a)(3)(i-vi).....</b>	<b>100.00</b>
<input type="checkbox"/>	<b>Plan has inadequate or no information and procedures for reporting a discharge- 112.7(a)(4) .....</b>	<b>100.00</b>
<input type="checkbox"/>	Plan has inadequate or no description and procedures to use when a discharge may occur- 112.7(a)(5) .....	100.00
<input type="checkbox"/>	Inadequate or no prediction of equipment failure which could result in discharges- 112.7(b) .....	100.00
<input type="checkbox"/>	Plan does not discuss appropriate containment/diversionary structures/equipment- 112.7(c) .....	100.00
	- If claiming impracticability of appropriate containment/diversionary structures:	
<input type="checkbox"/>	Impracticability has not been clearly denoted and demonstrated- 112.7(d).....	400.00
<input checked="" type="checkbox"/>	<del>No contingency plan- 112.7(d)(1) .....</del>	<del>100.00</del>
<input type="checkbox"/>	No written commitment of manpower, equipment, and materials- 112.7(d)(2) .....	100.00
<input type="checkbox"/>	Plan has inadequate or no discussion of conformance with SPCC rules or applicable State rules, regulations and guidelines- 112.7(j) .....	50.00

#### WRITTEN PROCEDURES AND INSPECTION RECORDS 112.7(e)

<input checked="" type="checkbox"/>	Inspections and tests required by 40 CFR Part 112 are not in accordance with written procedures developed for the facility- 112.7(e) .....	50.00
	- Written procedures and/or a record of inspections and/or customary business records:	
<input checked="" type="checkbox"/>	<del>Are not signed by appropriate supervisor or inspector- 112.7(e) .....</del>	<del>50.00</del>
<input checked="" type="checkbox"/>	Are not kept with the plan- 112.7(e).....	50.00
<input checked="" type="checkbox"/>	Are not maintained for three years- 112.7(e).....	50.00

#### PERSONNEL TRAINING AND DISCHARGE PREVENTION PROCEDURES 112.7(f)

<input checked="" type="checkbox"/>	No training on the operation and maintenance of equipment to prevent discharges- 112.7(f)(1).....	50.00
<input type="checkbox"/>	<b>No training on discharge procedure protocols- 112.7(f)(1) .....</b>	<b>50.00</b>
<input type="checkbox"/>	No training on the applicable pollution control laws, rules, and regulations- 112.7(f)(1) .....	50.00
<input type="checkbox"/>	No training on general facility operations- 112.7(f)(1) .....	50.00

<input checked="" type="checkbox"/> No training on the contents of the SPCC Plan- 112.7(f)(1) .....	50.00
<input type="checkbox"/> No designated person accountable for spill prevention- 112.7(f)(2).....	50.00
<input checked="" type="checkbox"/> Spill prevention briefings are not scheduled and conducted periodically- 112.7(f)(3) .....	50.00
<input type="checkbox"/> Plan has inadequate or no discussion of personnel and spill prevention procedures .....	50.00

#### **SECURITY (excluding Production Facilities) 112.7(g)**

<input type="checkbox"/> Facility not fully fenced and entrance gates are not locked and/or guarded when plant is unattended or not in production- 112.7(g)(1).....	100.00
<input type="checkbox"/> Master flow and drain valves that permit direct outward flow to the surface are not secured in closed position when in a non-operating or standby status- 112.7(g)(2) .....	200.00
<input type="checkbox"/> Starter controls on pumps are not locked in the "off" position or located at a site accessible only to authorized personnel when pumps are not in a non-operating or standby status- 112.7(g)(3) .....	50.00
<input type="checkbox"/> Loading and unloading connection(s) of piping/pipelines are not capped or blank-flanged when not in service or standby status- 112.7(g)(4) .....	50.00
<del><input type="checkbox"/> Facility lighting not adequate to facilitate the discovery of spills during hours of darkness and to deter vandalism- 112.7(g)(5).....</del>	<del>100.00</del>
<input type="checkbox"/> Plan has inadequate or no discussion of facility security .....	50.00

#### **FACILITY TANK CAR AND TANK TRUCK LOADING/UNLOADING RACK 112.7(h)**

<input type="checkbox"/> Inadequate secondary containment, and/or rack drainage does not flow to catchment basin, treatment system, or quick drainage system- 112.7(h)(1) .....	500.00
<input type="checkbox"/> Containment system does not hold at least the maximum capacity of the largest single compartment of any tank car or tank truck- 112.7(h)(1).....	300.00
<input type="checkbox"/> There are no interlocked warning lights, or physical barrier system, or warning signs, or vehicle brake interlock system to prevent vehicular departure before complete disconnect from transfer lines- 112.7(h)(2) .....	200.00
<input type="checkbox"/> There is no inspection of lowermost drains and all outlets prior to filling and departure of any tank car or tank truck- 112.7(h)(3).....	100.00
<input type="checkbox"/> Plan has inadequate or no discussion of facility tank car and tank truck loading/unloading rack. ....	50.00

#### **FACILITY DRAINAGE FROM DIKED AREAS 112.8(b) & (c)**

<input type="checkbox"/> Valves used for drainage from diked storage areas to drainage system, watercourse, or effluent treatment system not controlled to prevent a discharge- 112.8(b)(2) .....	200.00
<input type="checkbox"/> Run-off rainwater from diked areas is not inspected- 112.8(c)(3)(ii).....	300.00
<input type="checkbox"/> Valves not opened and resealed under responsible supervision- 112.8(c)(3)(iii).....	100.00
<input type="checkbox"/> Adequate records (or NPDES permit records) of drainage from diked areas not maintained- 112.8(c)(3)(iv) .....	50.00

#### **FACILITY DRAINAGE FROM UNDIKED AREAS 112.8(b)**

<input type="checkbox"/> Drainage from undiked areas do not flow into catchment basins ponds, or lagoons, or no diversion systems to retain or return a discharge to the facility- 112.8(b)(3)&(4).....	400.00
---	--------

☐	Two “lift” pumps are not provided for more than one treatment unit- <a href="#">112.8(b)(5)</a> .....	100.00
☐	<del>Plan has inadequate or no discussion of facility drainage</del> .....	<del>50.00</del>

#### BULK STORAGE CONTAINERS 112.8(c)

☐	Plan has inadequate or no risk analysis and/or evaluation of field-constructed aboveground tanks for brittle fracture- <a href="#">112.7(i)</a> .....	50.00
☐	Material and construction of tanks not compatible to the oil stored and the conditions of storage such as pressure and temperature- <a href="#">112.8(c)(1)</a> .....	300.00
☐	Secondary containment appears to be inadequate- <a href="#">112.8(c)(2)</a> .....	500.00
☐	Containment systems, including walls and floors are not sufficiently impervious to contain oil- <a href="#">112.8(c)(2)</a> .....	250.00
☐	Excessive vegetation which affects the integrity and/or walls slightly eroded .....	200.00
☐	Containment bypass valves are not sealed closed when not draining rainwater- <a href="#">112.8(c)(3)(i)</a> .....	400.00
☐	Completely buried tanks are not protected from corrosion or are not subjected to regular pressure testing- <a href="#">112.8(c)(4)</a> .....	100.00
☐	Partially buried tanks do not have buried sections protected from corrosion- <a href="#">112.8(c)(5)</a> .....	100.00
☐	Aboveground tanks are not subject to visual inspections- <a href="#">112.8(c)(6)</a> .....	200.00
☐	Aboveground tanks are not subject to periodic integrity testing, such as hydrostatic, nondestructive methods, etc.- <a href="#">112.8(c)(6)</a> .....	300.00
☐	Records of inspections (or customary business records) do not include inspections of tank supports/foundation, deterioration, discharges and/or accumulations of oil inside diked areas- <a href="#">112.8(c)(6)</a> .....	100.00
☐	Steam return /exhaust of internal heating coils which discharge into an open water course are not monitored, passed through a settling tank, skimmer, or other separation system- <a href="#">112.8(c)(7)</a> .....	100.00

#### Container installations are not engineered if:

☐	No audible or visual high liquid level alarm- <a href="#">112.8(c)(8)(i)</a> , or .....	300.00
☐	No high liquid level pump cutoff devices- <a href="#">112.8(c)(8)(ii)</a> , or.....	300.00
☐	No audible or code signal communications between tank gauger and pumping station- <a href="#">112.8(c)(8)(iii)</a> , or .....	300.00
☐	No fast response system for determining liquid levels, such as computers, telepulse or direct vision gauges- <a href="#">112.8(c)(8)(iv)</a> .....	300.00
☐	No testing of liquid level sensing devices to ensure proper operation- <a href="#">112.8(c)(8)(v)</a> .....	50.00
☐	Effluent treatment facilities which discharge directly to navigable waters are not observed frequently to detect oil spills- <a href="#">112.8(c)(9)</a> .....	100.00
☐	Causes of leaks resulting in accumulations of oil in diked areas are not promptly corrected- <a href="#">112.8(c)(10)</a> .....	300.00
☐	Mobile or portable storage containers are not positioned to prevent discharged oil from reaching navigable water- <a href="#">112.8(c)(11)</a> .....	100.00
☐	Secondary containment inadequate for mobile or portable storage tanks- <a href="#">112.8(c)(11)</a> .....	500.00

Plan has inadequate or no discussion of bulk storage tanks ..... 50.00

---

**FACILITY TRANSFER OPERATIONS, PUMPING, AND FACILITY PROCESS 112.8(d)**

- ☒ Buried piping is not corrosion protected with protective wrapping, coating, or cathodic protection -112.8(d)(1). .....100.00
- ☐ Corrective action is not taken on exposed sections of buried piping when deterioration is found- 112.8(d)(1) .....300.00
- ☐ Not-in-service or standby piping are not capped or blank-flanged and marked as to origin- 112.8(d)(2).....50.00
- ☐ Pipe supports are not properly designed to minimize abrasion and corrosion, and allow for expansion and contraction- 112.8(d)(3). .....50.00
- ☐ Aboveground valves, piping and appurtenances are not inspected regularly- 112.8(d)(4) .....200.00
- ☒ Periodic integrity and leak testing of buried piping is not conducted- 112.8(d)(4) .....100.00
- ☐ Vehicle traffic is not warned of aboveground piping or other oil transfer operations- 112.8(d)(5).....100.00
- ☐ Plan has inadequate or no discussion of facility transfer operations, pumping, and facility process.....50.00

**TOTAL        \$        950.00**